

1 it on the purchase order?

2 Q Before --

3 A Not before this.

4 Q -- this, this -- you're a good lawyer, pastor.

5 A No, not really, sir.

6 Q Did -- before you saw it on this purchase order, did  
7 you --

8 A No, sir. No, I, I have not.

9 Q Are you familiar with a man named Alan Brown?

10 A I don't think so. It doesn't ring a bell, no, sir.  
11 Or at least I don't remember. Alan Brown. I, I don't think  
12 so, Mr. Cohen. Alan Brown.

13 Q Did you ever have any understanding during the time  
14 you were a Director as to what the limit, the outermost limit  
15 would be of the amount of money that TBN was prepared to  
16 advance to NMTV to purchase stations?

17 A No. I can't recall if there was one or not.

18 Q I finally, finally want to ask you about a -- just  
19 give me one second. I had asked you about this before, but  
20 only about the signature. I want to ask you about Bureau  
21 Exhibit 125, and I'm not concerned with the signature. I'll  
22 ask you about the substance. When you find that, that, would  
23 you --

24 MR. TOPEL: Volume 3 --

25 BY MR. COHEN:

1 Q And tell me when you've found it, pastor.

2 A 125. Yes, sir.

3 Q I'm not interested in the Odessa matter. I'm inter-  
4 ested in the last paragraph. Read it to yourself.

5 A Sir.

6 Q Now, you will recall you testified that you didn't  
7 sign this document before sometime in 1993? Do you recall  
8 that? And I take it, then, that you didn't receive the docu-  
9 ment in 1987?

10 A No, sir.

11 Q And --

12 A I believe not.

13 Q And I've asked you to read to yourself the third  
14 full paragraph. Now, the information set forth therein to you  
15 -- strike that.

16 Is the information that's set forth therein, was  
17 this information that, that you didn't learn of until this  
18 document was sent to you in 1993?

19 A No, sir. This is something that Mrs. Duff and I had  
20 talked about.

21 Q So, you knew about this?

22 A Yes, sir.

23 Q Okay. Now, this document speaks of January -- as of  
24 January the 26th, 1987.

25 A Yes, sir.

1 Q And was Trinity acting as Translator TV, Inc.'s  
2 accounting agent prior to January 26, 1987?

3 A I don't believe I know, sir, or remember, prior to  
4 '87.

5 Q Well, wasn't Trinity paying TBN's bills?

6 A That's correct, sir.

7 Q And wasn't it preparing its financial statements?  
8 Wasn't Trinity preparing --

9 A That's correct, sir.

10 Q -- Translator --

11 A That's correct.

12 Q So, in point of fact, Trinity had been providing the  
13 services that are reflected here prior to January 26, 1987,  
14 right?

15 A You're right, sir.

16 Q What was the reason that it was decided that you  
17 needed to, to do a memorialization of the practice in writing?

18 A I'm not sure I remember, but it would make, it would  
19 make legal sense. But, again, it just seemed like the right  
20 thing to do, sir.

21 Q Mrs. Duff didn't tell you why it was being  
22 memorialized in writing?

23 A Mr. Cohen, if she did, I, I really don't remember  
24 right now, sir.

25 Q Thank you, pastor, for putting up with me. I have

1 no further questions for you.

2 JUDGE CHACHKIN: Whose -- go, go ahead, Mr.  
3 Schonman.

4 MR. SCHONMAN: Thank you, Your Honor.

5 CROSS-EXAMINATION

6 BY MR. SCHONMAN:

7 Q Reverend Espinoza, please turn to paragraph 6 of  
8 your Direct Testimony, please? That's Trinity Exhibit,  
9 Trinity Exhibit 106.

10 A I, I'm sorry. Which number?

11 Q Page 3, paragraph 6.

12 A Okay.

13 Q Do you have that?

14 A Yes, sir.

15 Q At the bottom, the bottom of this page, there's the  
16 sentence, "Mrs. Duff around this time told me that Translator  
17 TV, Inc.'s purpose was..." and then you go on to describe the  
18 purpose. Do you see that?

19 A Yes, sir.

20 Q And if you'd like to read the rest of the paragraph  
21 to put yourself in context, please do so. But I'm focusing on  
22 the purpose of the company when it was formed and when you  
23 became a Director. There's been reference during your testi-  
24 mony to another purpose of Translator TV, Inc., and NMTV, and  
25 that being to help minorities in the broadcasting industry,

1 but I don't see any reference in your testimony here to that  
2 second goal of TTI.

3 And my question is was the only purpose that Mrs.  
4 Duff explained to you, was that purpose to file applications  
5 for low-power stations to spread the gospel?

6 A Mr. Schonman, I believe that at the time that that  
7 was what I remembered, sir.

8 Q In your mind that was the purpose of the company?

9 A Yes, sir.

10 Q Did that purpose ever change?

11 A I, I believe it did in the sense that we wanted to  
12 somehow try and focus on, on minorities.

13 Q That became a goal of the company at some later  
14 point?

15 A I think so. I, I know it became my goal, sir.

16 Q Do you recall when in time that became your goal?

17 A I think, Mr. Schonman, when I first became involved  
18 I began to envision the, the opportunities of, of what could  
19 be accomplished. At the time, I was a novice and, and, and I  
20 -- I forgot so much, but at the time it became a real chal-  
21 lenge to me. Among Latins, this was -- television was new.  
22 And, so, I dreamt of the day when perhaps Hispanics could own  
23 their own network. This is something that I visualized as  
24 happening, if not through NMTV or TTI -- I would look at TBN  
25 and feel: why can't we do that? And, so, I think that some-

1 | where deep inside I wanted it to happen, sir.

2 |       Q     But you never felt, at least at the outset, that  
3 | that was a goal of this particular company? That was merely a  
4 | vision that you had?

5 |       A     My personal thing, yes, sir.

6 |       Q     Did you share that with anyone?

7 |       A     I shared it with a few pastors that, that were  
8 | interested in the same thing, Mr. Schonman. It had nothing to  
9 | do with TBN or TTI. It, it was something that was being  
10 | realized from a different avenue.

11 |       Q     You said a moment ago that you felt, in the begin-  
12 | ning at least, that you were a novice. Did there ever come a  
13 | time when you felt you were no longer a novice?

14 |       A     No. No, not at all, sir.

15 |       Q     So, for the duration that you were a Director of TTI  
16 | and later with NMTV, you felt you were always a novice in the  
17 | broadcasting industry?

18 |       A     In the sense that there was so much that I didn't  
19 | know in, in terms of legalities and, and things like that.  
20 | That's what I meant.

21 |       Q     When Translator TV, Inc., was formed, Dr. Crouch was  
22 | made President of the company, correct?

23 |       A     Yes, sir.

24 |       Q     Why was Dr. Crouch made President of the company?

25 |       A     Of TTI?

1 Q Yes.

2 A Mr. Schonman, I'm under the impression that it was  
3 at the first meeting. I did not attend that first meeting.

4 Q Did you have any understanding as to why he became  
5 President of TTI?

6 A I think it's more of an impression than an under-  
7 standing. My feeling was that since he had the knowledge and  
8 the experience, and so this is something that I readily  
9 accepted.

10 Q Now, through the years, Dr. Crouch was re-elected to  
11 the office of President on a continuing basis.

12 A That's correct, sir.

13 Q Did you agree with that, that he should remain  
14 President through the years?

15 A Yes.

16 Q There was never a time when you thought that someone  
17 else should assume that role?

18 A Mr. Schonman, I, I think that in 1990, something  
19 that I thought about.

20 Q What happened in 1990 that made you think about  
21 that?

22 A I was thinking in terms of, of -- by that time I was  
23 pretty certain that I was going to resign from NMTV, but at  
24 the same time I -- it was something that, that it would remain  
25 close to my heart and I looked at, at the possibility of the

1 Corporation growing up and somewhere along the line the father  
2 cuts the strings and allows the son or the daughter to, to be  
3 able to grow, and my feeling is that it's something that might  
4 be considered.

5 Q So --

6 A But it's not something that, that became a reality,  
7 because, like I say, at that time I, I knew I was going to  
8 resign, sir.

9 Q You viewed the relationship that TBN had with TTI  
10 and NMTV as a parent-child relationship?

11 A In a sense, yes, sir.

12 Q Would you turn to paragraph 8 of your Direct  
13 Testimony? And, specifically, on page 5, near the top of the  
14 page, there's a sentence which says, "I relied on Mrs. Duff's  
15 knowledge and experience to handle these details because she  
16 had far more background than I had in these matters." And  
17 that's the sentence that I'd like you to focus on, but you may  
18 want to look back to the beginning of the paragraph to place  
19 yourself in some context.

20 A Sir.

21 Q Pastor, what experience did you believe that Mrs.  
22 Duff had in preparing low-power applications at this time?

23 A Only in the sense that she had been an employee of,  
24 of Trinity Broadcasting, and so she would have far more knowl-  
25 edge of things of that nature. This was my understanding.



1 Q What was your understanding as to what Mrs. Duff did  
2 at TBN at that time?

3 A I really had no understanding. I just knew she was  
4 an employee of TBN and, again, it was an assumption perhaps on  
5 my part, but I felt she was more knowledgeable about televi-  
6 sion matters than I, sir.

7 Q And the extent of your knowledge about Mrs. Duff at  
8 this time was limited to seeing her in her office during the  
9 times that you would pass through the hallway --

10 A That is correct. Yes, sir.

11 Q -- and the brief discussions that you had with her?  
12 And the brief discussions that you had with her?

13 A Yes, sir.

14 Q That was the extent of your knowledge about what she  
15 knew about the broadcasting industry?

16 A Yes, sir.

17 Q And that was the extent of your knowledge about what  
18 role she played at TBN?

19 A Yes, sir.

20 Q Did you know if she had any title at TBN?

21 A I don't think I recall, sir.

22 Q Why did you rely on Mrs. Duff and not Dr. Crouch?

23 A Well, for one thing, Mrs. Duff was there. Mr.  
24 Crouch oftentimes would be travelling. So, it, it -- number  
25 one, it would be the most logical thing to do.

1           Q     And further on in the paragraph, you state, "How-  
2 ever, she and I discussed the criteria, discussed the criteria  
3 to be used in deciding which communities were to be applied  
4 for by Translator TV and discussed too overall population of  
5 the community and minority population." Those were the crite-  
6 ria for selecting which communities would be applied for by  
7 TTI?

8           A     The population of the community, things like -- yes.  
9 Yes, sir.

10          Q     Well, those were the two criteria that you discus-  
11 sed. My question is are those two factors the only factors  
12 that you considered in deciding what communities to apply for?

13          A     At the time that was, that was what I remembered.

14          Q     And you state in the next sentence, "These criteria  
15 were used in the first filings made by the Corporation..." and  
16 the sentence continues. Do you know if those criteria were  
17 utilized in any subsequent filings by Translator TV, Inc.?

18          A     Mr. Schonman, I don't think I remember if, if, if we  
19 continued with, with -- I don't remember, sir.

20          Q     What do you remember by first filings, as you've  
21 used it here?

22          A     The first applications that, that, that, that were  
23 applied for.

24          Q     The first series? The first set of applications?

25          A     Yes, sir.

1 Q The first group?

2 A Yes, sir.

3 Q Do you recall having any discussions with Mrs. Duff  
4 or Dr. Crouch about the population of the community or the  
5 minority population of the communities that Translator TV,  
6 Inc., subsequently applied for?

7 A Mr. Schonman, I'm under the impression that we would  
8 review a, a list of, of cities, and sometimes I was familiar  
9 with certain areas. Before I became a pastor, I was an evan-  
10 gelist and I travelled much of the, of the country. And, so,  
11 if, if it was something that I could identify with, some -- a  
12 town or a city that I had been there, I would tend to favor  
13 it.

14 Q But there were many communities I, I would assume  
15 that you were not personally familiar with?

16 A That is correct, sir.

17 Q And how would you decide whether to apply for those  
18 communities if you were not personally familiar with them?

19 A Mr. Schonman, I believe that, that I would rely on  
20 the judgment of Mr. Crouch and Mrs. Duff.

21 Q In other words, if --

22 A If, if there was --

23 Q Go ahead.

24 A If there was an area that I was not familiar with, I  
25 would rely on their judgment.

1           Q     You wouldn't review any, any documentation describ-  
2 ing the communities, would you, for example, the population  
3 figures, census figures, minority statistics, anything like  
4 that?

5           A     I'm under the impression, Mr. Schonman, that there  
6 were times, and I can't say all the time because I don't  
7 remember all the time, I can remember that sometimes some  
8 information was, was provided as to the area of, of, of the,  
9 of the town or the city.

10          Q     Pastor, when I'm, when I'm referring to the subse-  
11 quent filings, I'm referring to the filings that were made in,  
12 in the 1970 time, time period --

13                   MR. TOPEL: 1987.

14                   MR. SCHONMAN: I'm s--

15                   MR. TOPEL: You said --

16                   BY MR. SCHONMAN:

17          Q     1987, that time period. There was a group in 1981.  
18 Then there was another group later -- several groups later.

19          A     Sure.

20          Q     Is that consistent with your testimony, with your  
21 understanding? When you were talking about subsequent  
22 filings, you understood that, that these were filings in 1987  
23 and periods after that?

24          A     I believe so, sir.

25                   JUDGE CHACHKIN: Do we have a list of the

1 communities applied for, the first filings?

2 MR. SHOOK: Yes.

3 MR. TOPEL: Yes. Yes, Your Honor. It's in the  
4 record.

5 MR. SHOOK: It, it's in one of the Bureau exhibits.  
6 The first, the first group of filings appears as one of the  
7 Bureau exhibits in the sense that there was a loan document or  
8 a letter from the --

9 JUDGE CHACHKIN: That's --

10 MR. TOPEL: -- more direct than that. It's in, it's  
11 in Mrs. Duff's testimony and Mr. May's testimony.

12 JUDGE CHACHKIN: There's a list of cities?

13 MR. SHOOK: Those, those are two different, those  
14 are two different ones. The one that I think you're referring  
15 to was those permits and licenses which Translator TV, Inc.,  
16 now has. It doesn't include the first group --

17 MR. TOPEL: No. No, there's a list of --

18 MR. SHOOK: Oh, it has the first grouping too?

19 MR. TOPEL: -- the first group of applications.

20 MR. SHOOK: All right. Well, then we do have every-  
21 thing.

22 JUDGE CHACHKIN: Where is that list? Maybe you  
23 could show it to the witness.

24 MR. SHOOK: In Tab K of 105.

25 MR. TOPEL: I think it's in the volume of Colby's --

1 several witnesses, Mrs. Duff's and Mr. May's -- it's -- one  
2 place, it's on page 25 of TBN Exhibit 101, page 25, on over to  
3 26.

4 JUDGE CHACHKIN: All right, sir. Here, here's a  
5 list of the first 17 stations applied for. Did you go over  
6 this list with anyone at the time these applications were  
7 filed?

8 MR. ESPINOZA: Yes, sir. I believe I went over the  
9 list with Mrs. Duff, sir.

10 JUDGE CHACHKIN: And what information did you have  
11 about the minority population, for instance, of Spokane,  
12 Washington?

13 MR. ESPINOZA: Spokane. Well, for one thing, I had  
14 preached in Spokane. I had preached in --

15 JUDGE CHACHKIN: Well, did it have a large minority  
16 population?

17 MR. ESPINOZA: Yes, sir.

18 JUDGE CHACHKIN: Particularly Hispanic? In Spokane,  
19 Washington?

20 MR. ESPINOZA: Yes, sir.

21 JUDGE CHACHKIN: What, what was the source of your  
22 information that it had a large Hispanic population in  
23 Spokane, Washington?

24 MR. ESPINOZA: The fact that the president of, of,  
25 of our district or our denomination had sent out a challenge

1 to the pastors to make every effort to start churches in, in  
2 the states of Oregon and Washington because of the, the grow-  
3 ing number of Hispanics, sir.

4 JUDGE CHACHKIN: I'm asking about Spokane. I'm not  
5 asking about other parts of Washington. I'm asking about --  
6 particularly about the city of Spokane, Washington.

7 MR. ESPINOZA: Well --

8 JUDGE CHACHKIN: Was it your testimony there was a  
9 large Hispanic population in Spokane, Washington, in 1978? Is  
10 this what we're talking about? 1978, early 1980's, there was  
11 a large Hispanic population in Spokane, Washington?

12 MR. ESPINOZA: I had preached in Spokane. I had --

13 JUDGE CHACHKIN: I understand you had preached --

14 MR. ESPINOZA: I had --

15 JUDGE CHACHKIN: -- there. But how, how many people  
16 appeared before you when you preached, sir?

17 MR. ESPINOZA: If, if I may, sir, I had preached  
18 there. It wasn't so much a matter of the people that attended  
19 the services, but it was a matter of being with the pastor  
20 and, and riding through Spokane and looking at the communi-  
21 ties. That's what I refer to.

22 JUDGE CHACHKIN: Well, you never had to look --  
23 examine any census data about --

24 MR. ESPINOZA: No, that's correct, sir.

25 JUDGE CHACHKIN: -- each community?

1 MR. ESPINOZA: That's correct, sir.

2 JUDGE CHACHKIN: And wouldn't census data be the  
3 best indication of what the minority population is?

4 MR. ESPINOZA: Yes, it would, sir.

5 JUDGE CHACHKIN: Go ahead, Mr. Schonman.

6 MR. SCHONMAN: Pastor, with respect to the list of,  
7 of --

8 JUDGE CHACHKIN: The witness has the list in front  
9 of him.

10 BY MR. SCHONMAN:

11 Q With respect to the list of, of the 17 applications  
12 that were initially filed by Translator TV, Inc., these were  
13 applications which you and your, your colleagues on the Board  
14 decided were, were important communities to, to file for? Is  
15 that correct?

16 A Well, it, it was important, but also it was a star-  
17 ting point for us in that sense, but they were, of course, all  
18 important.

19 Q And if granted, these were, these were facilities  
20 that you wanted to build and operate?

21 A If possible.

22 Q Did you have any knowledge at the time that these  
23 applications were filed about the coverage areas of each of  
24 the -- that, that each of the stations would have?

25 A At the time, no, sir. I, I don't believe so.



1 Q So, if you turn to the reference to the Houston  
2 station, it says, "Houston (Stafford), Texas, Channel 56..."  
3 That's a station that Translator TV, Inc., intended to con-  
4 struct and operate if granted?

5 A Yes, sir.

6 Q That was the intention when it was filed?

7 A Yes, sir.

8 Q Now, you didn't know the coverage area of that  
9 station, did you?

10 A No, I did not.

11 Q You assumed that Mrs. Duff and Dr. Crouch knew that?

12 A Yes, sir.

13 Q And you also assumed that they were satisfied that  
14 it would provide the coverage that Translator TV, Inc., was  
15 seeking?

16 A That's correct, sir.

17 Q Now, there was considerable testimony on the various  
18 Translator TV, Inc., and NMTV meetings that were held over the  
19 course of the years when you were a Director, and I believe  
20 you testified that Norman Juggert attended many of the meet-  
21 ings in which you were --

22 A Yes, sir.

23 Q -- in attendance at? When Mr. Juggert attended  
24 these meetings, he participated at the meetings, didn't he?

25 A I believe he did, sir.

1           Q     People would ask him questions and he would provide  
2 responses?

3           A     I believe that's correct, sir.

4           Q     And the questions would involve the business being  
5 transacted at this meeting? Is that correct?

6           A     I believe so, sir.

7           Q     Business affecting the affairs of Translator TV,  
8 Inc., and NMTV?

9           A     Yes, sir.

10          Q     Didn't you regard Mr. Juggert as Translator TV,  
11 Inc.'s and NMTV's attorney?

12          A     My knowledge of, of, of, of him was that I knew he  
13 had a relationship with TBN because I would see him at the  
14 initial combined meetings, and it isn't until later that, that  
15 I, I saw him when we started having the TTI or NMTV meetings  
16 separately, that he was also there. But my feeling -- I, I  
17 wasn't sure, but my feeling was that he was there to provide  
18 legal counsel or advice.

19          Q     And that legal counsel and advice was for the bene-  
20 fit of Translator TV, Inc., and NMTV?

21          A     That is correct, sir.

22                 JUDGE CHACHKIN: Are you moving on to something  
23 else?

24                 MR. SCHONMAN: Yes.

25                 JUDGE CHACHKIN: All right. We'll be in recess till

1 9:00 a.m. tomorrow morning.

2 (Whereupon, the hearing was adjourned on Thursday,  
3 January 13, 1994, until 9:00 a.m. Friday, January 14, 1994.)  
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**CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER**

IN THE MATTER OF TRINITY BROADCASTING OF FLORIDA, INC.  
**Name** AND GLENDALE BROADCASTING COMPANY

MM DOCKET NO. 93-75  
**Docket No.**

WASHINGTON, D.C.  
**Place**

JANUARY 13, 1994  
**Date**

We, the undersigned, do hereby certify that the foregoing pages, numbers 4154 through 4321, inclusive, are the true, accurate and complete transcript prepared from the reporting by ALICE WEHNER in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

January 21, 1994  
**Date**

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